

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39290 of 2016**

Arising Out of PS.Case No. -87 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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1. Govind Yadav Son of Late Naurangi Yadav, Resident of Village- Ripra Pokhar, P.S.- Pakribrawan, District- Nawada.  
2. Jay Ram Yadav Son of Lakhan Yadav.  
3. Mithilesh Yadav, Son of Lakhan Yadav.  
4. Chhotelal Yadav, Son of Lakhan Yadav.  
Petitioner No. 2,3,4 are resident of Village- Kartara, P.S.- Pakribrawan, District- Nawada.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Anant Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      23-09-2016                      Heard Sri Sheo Kumar Prasad, learned counsel for the petitioners and Sri Anant Kumar, learned Additional Public Prosecutor.

Four petitioners, apprehending their arrest in Pakribrawan P.S. Case No. 87 of 2016 , registered for the offence under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code , have prayed for grant of bail in the event of their arrest or surrender.

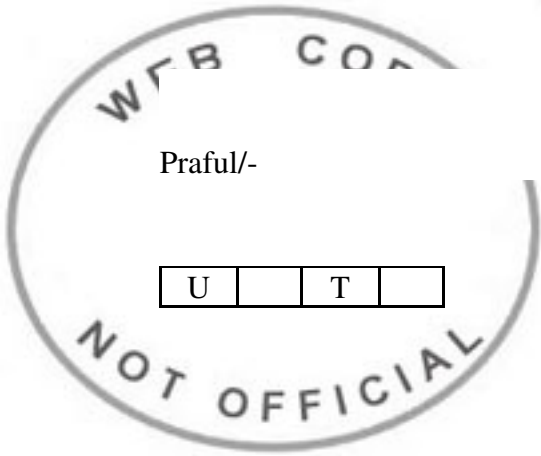
By way of referring to the F.I.R. learned counsel for the petitioners submits that though in the F.I.R. there is no material to attract Section 307 of the Indian Penal Code , the



F.I.R. has been lodged under Section 307 of the Indian Penal Code also. So far allegation under Section 379 of the Indian Penal Code is concerned, he submits that the allegation is exaggerated. According to learned counsel for the petitioners fact remains that informant side were aggressors and they had committed serious offences against the petitioners and as such from petitioners' side earlier a case was instituted vide Pakribrawan P.S. Case No. 86 of 2016 for offence under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code. He further submits that in the present case in which petitioners have been made accused on record there is no injury report.

In view of the fact that there was case and counter case in between the parties and nature of accusation, the court is of the opinion that it is a fit case for grant of privilege of anticipatory bail. Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners Govind Yadav, Jay Ram Yadav, Mithilesh Yadav and Chhotelal Yadav be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nawada / concerned court in connection with Pakribarawan P.S. Case No. 87 of 2016 subject to the conditions as contemplated

under section 438(2) of the Code of Criminal Procedure.



Praful/-

**(Rakesh Kumar, J)**